

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Telecommunications Relay Service and)	
Speech-to-Speech Services for Individuals with)	CG Docket No. 03-123
Hearing and Speech Disabilities)	
)	

COMMENTS OF HANCOCK, JAHN, LEE & PUCKET, LLC

RE: DA-1453 PETITION FOR RULEMAKING FILED BY IDT TELCON, INC.,
REGARDING INTERSTATE TELECOMMUNICATIONS RELAY SERVICE FUND
CONTRIBUTION

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2/3/2016

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RE: DA 15-1453

I. INTRODUCTION

1. In a Public Notice¹ dated December 18, 2015 the Federal Communications Commission (“FCC” “Commission”) requested comment on petition for rulemaking² filed by IDT Telecom, Inc. (“IDT”) on November 25, 2015. Hancock, Jahn, Lee & Puckett, LLC, d/b/a Communication Access Ability Group and branded Star VRS and Star VRS for the DeafBlind (“Star VRSdb”) (collectively “CAAG/Star VRS”) herein provide comments. CAAG/Star VRS fully supports IDT’s proposal in its entirety, believes it is well within statutes and purview of the FCC to implement, and encourages the Commission to swiftly issue a Notice of Proposed Rulemaking (“NPRM”) on the matter. Namely, CAAG/Star VRS supports IDT’s request that the FCC implement a contribution methodology that includes intrastate revenue contributions to the TRS Fund³ and a removal of the rule provision that requires video relay service costs to be recovered *only* from interstate and international revenue.⁴

¹ Federal Communications Commission, Public Notice, DA 15-1453 (Released: December 18, 2015).

² IDT Telecom, Inc., Petition for Rulemaking (“*Petition*”), CG Docket No. 03-123 (filed November 25, 2015).

³ *Petition* at 1.

⁴ *Petition* at 2.

II. THE COMMISSION SHOULD IMMEDIATELY ISSUE AN NPRM ON IDT'S PROPSAL TO STRENGTHEN THE FUND AND ENSURE THAT IP-BASED RELAY SERVICES ARE COMPENSATED APPROPRIATELY FOR THE ACTUAL COST OF PROVIDING FUNCTIONALLY EQUIVALENT SERVICES

2. IDT points out several valid reasons that the FCC should move forward with expanding the TRS Fund contribution base to include intrastate revenue.⁵ CAAG/Star VRS here asserts that doing so also ensures the FCC's ability to appropriately compensate IP-based relay services, particularly video relay service ("VRS"), for the actual cost of providing functionally equivalent services. Functional equivalence in VRS is almost wholly dependent on a single factor, the VRS Sign language interpreter. This is also the single most costly factor of providing VRS. Yet, it remains that current rates do not allow for competitive interpreter wages or standard practices of Sign language interpreters (teaming and Deaf interpreters among other factors) to be used in video relay, perpetuating a dysfunctional inequivalent service. A strong TRS Fund base will allow the Commission to calculate the actual cost of providing a truly functionally equivalent service, have the leeway to adjust the rates to an appropriate level, and therefore fulfill its mandate to provide a functionally equivalent telecommunications experience for Deaf and speech disabled individuals.

III. THE FCC SHOULD ALSO ADDRESS CONCERNS REGARDING A SHRINKING TRS FUND BASE BY CONDUCTING AN INVESTIGATION OF INTERSTATE CONTRIBUTORS

3. CAAG/Star VRS is increasingly concerned that a booming interstate and international telecommunications market has somehow resulted in a shrinking TRS Fund. This simply does not add up. CAAG/Star VRS encourages the Commission to use this opportunity to conduct a

⁵ *Petition* at 14.

thorough investigation on the calculations being used by interstate and international contributors for Fund contributions. For example, are service “bundles” that include, but are not exclusively telecommunications services, being accounted for appropriately? Are there other ways that interstate and international contributors are “skirting” their responsibility to provide to the TRS Fund? CAAG/Star VRS believes the FCC and consumers of IP-based relay services deserve an appropriate answer to what appears to be a simple math logic problem.

IV. CONCLUSION

4. The diminishing of the TRS Fund is alarming and should be of serious concern to the FCC. Consumers of IP-based relays services very lives are dependent on the strength and sustainability of the Fund. IDT’s proposal offers a solid solution to strengthening the base of the Fund and holds individual states accountable for their responsibility to support the provision of relay services. It will also provide the FCC with the leeway to ensure that IP-based relay services are compensated for the actual cost of providing functionally equivalent services. An NPRM on the proposal should be issued *post haste*. In the same breath the FCC should be ensuring that interstate contributors are also holding up their mandates with regards to contributions. In this way the FCC gives consumers of IP-based relay service confidence that the relay services that are essential to their day to day lives are sustained.

Respectfully submitted this 3rd day of February, 2016,

Hancock, Jahn, Lee & Puckett, LLC

A handwritten signature in black ink, appearing to read 'J. M. Jack', with a long horizontal flourish extending to the right.

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